



1638

Attorney's Docket No. 5051-471

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Conkling et al.
Serial No.: 09/941,042
Filed: August 28, 2001
For: *TRANSGENIC PLANTS CONTAINING MOLECULAR DECOYS*

Confirmation No.: 4291
Group Art Unit: 1638
Examiner: Kubel

Date: November 14, 2003

RECEIVED
NOV 20 2003
TECH CENTER 1600/2900

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 C.F.R. § 1.97(b)**

Sir:

Attached is a form PTO-1449, together with a copy of each of the identified document(s). It is requested that these documents be considered by the Examiner and officially made of record in accordance with the provisions of 37 C.F.R. § 1.56 and Section 609 of the MPEP. We note that the documents are enclosed within three (3) boxes. A copy of this coversheet accompanies each box.

This Information Disclosure Statement is submitted in accordance with 37 C.F.R. § 1.97(c), before final Office Action or Allowance, whichever is earlier. A check for the \$180.00 fee specified in 37 C.F.R. § 1.17(p) is enclosed. This amount is believed to be correct. However, the Commissioner is authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-0220.

Respectfully submitted,

Jarett K. Abramson
Registration No. 47,376

Myers Bigel Sibley & Sajovec, P.A.
P. O. Box 37428
Raleigh, North Carolina 27627
Telephone: (919) 854-1400
Facsimile: (919) 854-1401
Customer No. 20792

Certificate of Mailing under 37 CFR § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 14, 2003.

Clara R. Beard

11/19/2003 NROCHA1 08088829 09941042

01 FC:1886

188.00 0P

Box 1



Attorney's Docket No. 5051-471

20 2003
1600/2900 1638

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Conkling et al.
Serial No.: 09/941,042
Filed: August 28, 2001
For: *TRANSGENIC PLANTS CONTAINING MOLECULAR DECOYS*

Confirmation No.: 4291
Group Art Unit: 1638
Examiner: Kubelik

Date: November 14, 2003

**IN DISCLOSURE STATEMENT
IN ACCORDANCE WITH 37 C.F.R. § 1.97(b)**

together with a copy of each of the identified document(s) is being
deposited with the Examiner and officially made of record in accordance with
37 C.F.R. § 1.56 and Section 609 of the MPEP. We note that there are three (3) boxes.

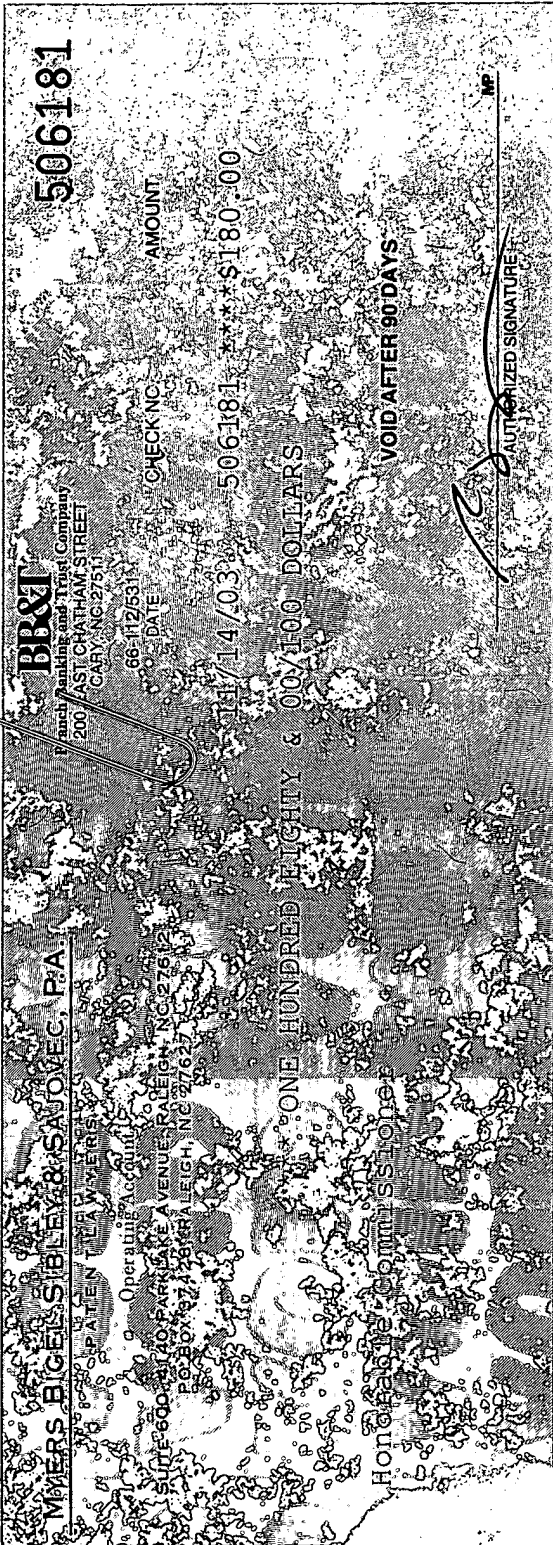
A copy of this coversheet accompanies the disclosure statement is submitted in accordance with 37 C.F.R. § 1.97(b) or Allowance, whichever is earlier. A check for the amount of \$180.00 is enclosed. This amount is believed to be correct and is authorized to charge any deficiency or credit any amount to the account 50-0220.

Respectfully submitted,

Jarett K. Abramson
Registration No. 47,376

Certificate of Mailing under 37 CFR § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 14, 2003.



5051011215196567684

FORM PTO-1449 U.S. Department of Commerce
Patent and Trademark Office

Attorney Docket Number
5051-471

Serial No.
00/941,042

LIST OF DOCUMENTS CITED BY APPLICANT

(Use several sheets if necessary)



RECEIVED
NOV 20 2003
TECH CENTER 1600/2900

Applicants:

Conkling et al.

Filing Date
August 28, 2001

Group
1638


U. S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
	1.	4693976	9/1987	Schilperoort et al.		
	2.	4762785	08/1988	Comai		
	3.	4885248	12/1989	Ahlquist		
	4.	4940838	07/1990	Schilperoort et al.		
	5.	4945050	07/1990	Sanford et al.	435	172
	6.	4954442	09/1990	Gelvin et al.		
	7.	5034322	07/1991	Rogers et al.		
	8.	5036006	07/1991	Sanford et al.		
	9.	5100792	07/1991	Sanford et al.		
	10.	5107065	04/1992	Shewmaker et al.		
	11.	5149645	09/1992	Hoekema et al.		
	12.	5157115	10/1992	Taniguchi	536	227
	13.	5179022	01/1993	Sanford et al.	435	287
	14.	5190931	03/1993	Inouye et al.		
	15.	5204253	04/1993	Sanford et al.	435	172.3
	16.	5208149	05/1993	Inouye et al.		
	17.	5231020	07/1993	Jorgensen et al.		
	18.	5254800	10/1993	Bird et al.		
	19.	5260205	11/1993	Nakatani et al.		
	20.	5272065	12/1993	Inouye et al.		
	21.	5352605	10/1994	Fraley et al.		
	22.	5356799	10/1994	Fabijanski et al.		
	23.	5365015	11/1994	Grierson et al.		
	24.	5369023	11/1994	Nakatani et al.		

EXAMINER _____
*EXAMINER

DATE CONSIDERED _____

Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM PTO-1449 U.S. Department of Commerce Patent and Trademark Office				Attorney Docket Number 5051-471		Serial No. 09/941,042	
LIST OF DOCUMENTS CITED BY APPLICANT (Use several sheets if necessary)							
				Applicants:		RECEIVED NOV 20 2003 TECH CENTER 1600/2900	
				Filing Date August 28, 2001		1638	
Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate	
	25.	5371015	12/1994	Sanford et al.	435	287	
	26.	5451514	09/1995	Boudet et al.			
	27.	5453566	09/1995	Shewmaker et al.			
	28.	5459252	10/1995	Conkling et al.			
	29.	5464763	11/1995	Schilperoort et al.			
	30.	5478744	12/1995	Sanford et al.	435	285.1	
	31.	5501967	03/1996	Offringa et al.			
	32.	5530196	06/1996	Fraley et al.			
	33.	5580722	12/1996	Foulkes et al.	435	6	
	34.	5610288	3/1997	Rubenstein			
	35.	5635381	06/1997	Hooykaas et al.			
	36.	5665543	09/1997	Foulkes et al.	435	6	
	37.	5668295	09/1997	Wahab et al.			
	38.	5683985	11/1997	Chu et al.	514	44	
	39.	5684241	11/1997	Nakatani et al.			
	40.	5693512	12/1997	Finer et al.			
	41.	5713376	02/1998	Berger			
	42.	5716780	02/1998	Edwards et al.	435	6	
	43.	5723751	03/1998	Chua			
	44.	5731179	03/1998	Komari et al			
	45.	5759829	06/1998	Shewmaker et al.			
	46.	5767378	06/1998	Bojsen et al.			
	47.	5776771	07/1998	Yu et al.			
	48.	5776502	07/1998	Foulkes et al.			
	49.	5830728	11/1998	Christou et al.			

EXAMINER _____
 *EXAMINER _____

DATE CONSIDERED _____

Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM PTO-1449 U.S. Department of Commerce Patent and Trademark Office				Attorney Docket Number 5051-471		Serial No. 09/941,042	
LIST OF DOCUMENTS CITED BY APPLICANT (Use several sheets if necessary)				Applicants: Conkling et al.		Filing Date August 28, 2001	
				Group 1638		RECEIVED NOV 20 2003 TECH CENTER 1600/2900	
Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
	50.	5837876	11/1998	Conkling et al.			
	51.	5846720	12/1998	Foulkes et al.	435	6	
	52.	5851804	12/1998	Snyder et al.			
	53.	5863733	01/1999	Foulkes et al.	435	6	
	54.	5858774	01/1999	Malbon et al.			
	55.	5858742	01/1999	Fraley et al.			
	56.	5877023	03/1999	Sautter et al.			
	57.	5929306	07/1999	Torisky et al.			
	58.	5932782	08/1999	Bidney			
	59.	5962768	10/1999	Comelissen et al.			
	60.	5976793	11/1999	Foulkes et al.	435	6	
	61.	5976880	11/1999	Sautter et al.			
	62.	5981839	11/1999	Knauf et al.			
	63.	5989915	11/1999	Christou et al.			
	64.	5994629	11/1999	Bojsen et al.			
	65.	6022863	02/2000	Peyman			
	66.	6051409	04/2000	Hansen et al.			
	67.	6051757	04/2000	Barton et al.			
	68.	6136779	10/2000	Foulkes et al.	514	1	
	69.	6165712	12/2000	Foulkes et al.	435	6	
	70.	6165715	12/2000	Collins et al.			
	71.	6174724	01/2001	Rogers et al.			
	72.	6203976	03/2001	Foulkes et al.	435	6	
	73.	6255560	07/2001	Fraley et al.			
	74.	2001/0006797	07/2001	Kumagai et al.			
	75.	6271031	08/2001	Falco et al.			

EXAMINER _____
*EXAMINER

DATE CONSIDERED _____

Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<p>FORM PTO-1449 U.S. Department of Commerce Patent and Trademark Office</p> <p style="text-align: center;">LIST OF DOCUMENTS CITED BY APPLICANT</p> <p style="text-align: center;">(Use several sheets if necessary)</p> <div style="border: 2px solid black; border-radius: 50%; width: 100px; height: 100px; display: flex; align-items: center; justify-content: center; margin: 10px auto;"> <p style="text-align: center; font-weight: bold; font-size: 1.2em;">O I P E</p> </div> <div style="border: 1px solid black; border-radius: 50%; width: 100px; height: 100px; display: flex; align-items: center; justify-content: center; margin: 10px auto;"> <p style="text-align: center; font-weight: bold;">NOV 17 2003</p> </div> <p style="text-align: center; font-size: 0.8em;">PATENT & TRADEMARK OFFICE</p>	<p>Attorney Docket Number 5051-471</p>	<p>Serial No. 09/941,042</p> <p style="font-size: 1.5em; font-weight: bold; text-align: center;">RECEIVED</p> <p style="font-size: 1.2em; font-weight: bold; text-align: center;">NOV 20 2003</p>
		<p>Applicants: Conkling et al.</p>
		<p>Filing Date August 28, 2001</p>
		<p>Group 1638</p>

TECH CENTER 1600/2900

Examiner Initial	Serial No.	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
	76.	6281410	08/2001	Knauf et al.			
	77.	2001/0026941	10/2001	Held et al.			

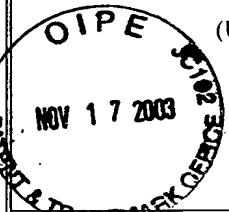
FOREIGN PATENT DOCUMENTS

Serial No.	Document Number	Date	Country	Class	Subclass	Translation Yes No
78.	0 116 718 A1	08/1984	EPO			
79.	WO 84/ 02919	08/1984	PCT			
80.	WO 84/ 02920	08/1984	PCT			
81.	0 120 515 A2	10/1984	EPO			
82.	0 120 515 B1	10/1984	EPO			
83.	0 120 516 A2	10/1984	EPO			
84.	0 131 620 B1	01/1985	EPO			
85.	0 131 624 B1	01/1985	EPO			
86.	0 131 623 B1	01/1985	EPO			
87.	0 140 308 A2	05/1985	EPO			
88.	0 140 308 A3	05/1985	EPO			
89.	0 140 308 B1	05/1985	EPO			
90.	0 159 779 B1	10/1985	EPO			
91.	0 176 112 B1	04/1986	PCT			
92.	0 189 707 B1	08/1986	EPO			
93.	0 223 399 A1	05/1987	EPO			
94.	0 223 399 B1	05/1987	PCT			
95.	0 224 287 A1	06/1987	EPO			
96.	0 240 208 A2	10/1987	EPO			

EXAMINER _____
*EXAMINER _____

DATE CONSIDERED _____

Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<p>FORM PTO-1449 U.S. Department of Commerce Patent and Trademark Office</p> <p style="text-align: center;">LIST OF DOCUMENTS CITED BY APPLICANT</p> <p style="text-align: center;">(Use several sheets if necessary)</p>	<p>Attorney Docket Number 5051-471</p>	<p>Serial No. 09/941,042</p>
	<p>RECEIVED NOV 20 2003 Conkling TECH CENTER 1600/2900</p>	
	<p>Applicants:</p> <p>Filing Date August 28, 2001</p>	

No.	Document Number	Date	Country	Class	Subclass	Translation Yes No
97.	0 240 208 A3	10/1987	EPO			
98.	0 240 208 B1	10/1987	EPO			
99.	0 265 556 A1	05/1988	EPO			
100.	0 270 822 A1	06/1988	EPO			
101.	0 290 799 A2	11/1988	EPO			
102.	0 290 799 A3	11/1988	EPO			
103.	0 320 500 A2	06/1989	EPO			
104.	0 320 500 A3	06/1989	EPO			
105.	0 647 715	03/1990	EPO			X
106.	CA 2032443	12/1990	Canada			X
107.	WO 9012084	10/1990	PCT			
108.	WO 9102070	02/1991	PCT			
109.	WO 9101379	02/1991	PCT			X
110.	WO 9111535	08/1991	PCT			X
111.	WO 9114790	10/1991	PCT			X
112.	0 458 367 A1	11/1991	EPO			
113.	0 458 367 B1	11/1991	EPO			
114.	0 467 349 B1	01/1992	EPO			
115.	0 486 214 A2	05/1992	EPO			
116.	0 486 214 A3	05/1992	EPO			
117.	0 486 234 B1	05/1992	EPO			
118.	WO 9215680	09/1992	PCT			
119.	WO 9218522	10/1992	PCT			X
120.	WO 9219732	11/1992	PCT			X (Abstract)
121.	WO 9305163	03/1993	PCT			
122.	WO 9305646	04/1993	PCT			

EXAMINER _____
*EXAMINER _____

DATE CONSIDERED _____

Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM PTO-1449 U.S. Department of Commerce
Patent and Trademark Office

Attorney Docket Number
5051-471

Serial No.
09/941,042

LIST OF DOCUMENTS CITED BY APPLICANT

(Use several sheets if necessary)



RECEIVED

NOV 20 2003

Conkling
TECH CENTER 1600/2900

Filing Date
August 28, 2001

1638

	Document Number	Date	Country	Class	Subclass	Translation Yes No
123.	WO 9314768	08/1993	PCT			X
124.	WO 9317116	09/1993	PCT			
125.	WO 9420627	09/1994	PCT			
126.	WO 9426913	11/1994	PCT			
127.	WO 9428142	12/1994	PCT			
128.	WO 9516031	06/1995	PCT			X (Abstract)
129.	WO 9511687	05/1995	PCT			X
130.	WO 9512415	05/1995	PCT			X
131.	WO 9534668	12/1995	PCT			
132.	WO 9535388	12/1995	PCT			
133.	WO 9621725	07/1996	PCT			
134.	WO 9705261	02/1997	PCT			
135.	WO 9708330	03/1997	PCT			
136.	WO 9712046	04/1997	PCT			
137.	WO 9732016	09/1997	PCT			
138.	WO 9738723	10/1997	PCT			X
139.	WO 9744064	11/1997	PCT			X
140.	WO 9741892	11/1997	PCT			
141.	WO 9744450	11/1997	PCT			
142.	WO 9749727	12/1997	PCT			
143.	WO 9805757	02/1998	PCT			
144.	WO 9830701	07/1998	PCT			
145.	WO 9832843	07/1998	PCT			
146.	CA 2248622	09/1998	Canada			X
147.	WO 9856923	12/1998	PCT			X
148.	WO 9910512	03/1999	PCT			

EXAMINER
*EXAMINER

DATE CONSIDERED

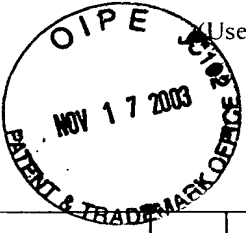
Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM PTO-1449 U.S. Department of Commerce
Patent and Trademark Office

Attorney Docket Number
5051-471

Serial No.
09/941,042

LIST OF DOCUMENTS CITED BY APPLICANT



(Use several sheets if necessary)

RECEIVED
NOV 20 2003
TECH CENTER 1600 2900

Applicants:

Conkling et al.

Filing Date
August 28, 2001

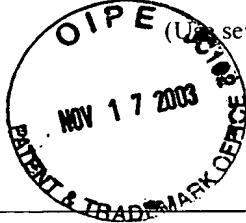
Group
1638

	Document Number	Date	Country	Class	Subclass	Translation Yes No
149.	WO 9914348	03/1999	PCT			
150.	CA 2325344	04/1999	Canada			X
151.	WO 9925854	05/1999	PCT			
152.	WO 9926634	06/1999	PCT			X
153.	WO 9932619	07/1999	PCT			
154.	WO 9932642	07/1999	PCT			
155.	WO 9949029	09/1999	PCT			
156.	WO 9953050	10/1999	PCT			
157.	WO 9961631	12/1999	PCT			X
158.	WO 0012735	03/2000	PCT			
159.	WO 0018939	04/2000	PCT			
160.	WO 0029566	05/2000	PCT			
161.	WO 0037060	06/2000	PCT			
162.	WO 0037663	06/2000	PCT			
163.	CA 1341091	09/2000	Canada			
164.	WO 0063398	10/2000	PCT			
165.	WO 0067558	11/2000	PCT			
166.	WO 0109302	02/2001	PCT			
167.	WO 0138514	05/20.01	PCT			
168.	WO 0144482	06/2001	PCT			
169.	WO 0149844	07/2001	PCT			
170.	WO 0151630	07/2001	PCT			
171.	WO 0168836	09/2001	PCT			
172.	WO 0177350	10/2001	PCT			
173.	WO 0200927	01/2002	PCT			

EXAMINER
*EXAMINER

DATE CONSIDERED

Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

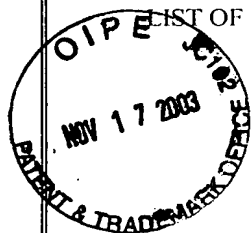
FORM PTO-1449 U.S. Department of Commerce Patent and Trademark Office LIST OF DOCUMENTS CITED BY APPLICANT (Use several sheets if necessary) 		Attorney Docket Number 5051-471	Serial No. 09/941,042
		Applicants: Conkling et al.	RECEIVED NOV 23 2003 TECH CENTER 1600/2900
		Filing Date August 28, 2001	Group 1638
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)			
	174.	Abeyama et al. "A role for NF- κ B-Dependent Gene Transactivation in Sunburn" <u>The Journal of Clinical Investigation</u> 105(12):1751-1759 (June 2000).	
	175.	Akimoto et al. "Growth Inhibition of Cultured Human Tenon's Fibroblastic Cells by Targeting the E2F Transcription Factor" <u>Exp. Eye Res.</u> 67:395-401 (1998).	
	176.	Beck et al, "Nucleotide Sequence and Exact Localization of the Neomycin Phosphotransferase Gene from Transposon Tn 5", <u>Gene</u> , 19: 327-336 (1982).	
	177.	Bevan & Flavell, "A Chimaeric Antibiotic Resistance Gene as a Selectable Marker for Plant Cell Transformation", <u>Nature</u> , 304: 184-187 (1983).	
	178.	Blastn 2.2.3 RID: 1029876573-03236-18654 http://www.ncbi.nlm.nih.gov/blast/Blast.cgi	
	179.	Blastn 2.2.3 RID: 1028939485-09139-26659 http://www.ncbi.nlm.nih.gov/blast/Blast.cgi	
	180.	Burtin, D., et al., <i>Over expression of Arginine Decarboxylase in Transgenic Plants</i> , <u>Biochem. J.</u> , Vol. 325 (Part 2), pp. 331-337 (1997).	
	181.	Bush, et al., <i>Nicotine Biosynthetic Enzymes of Burley Tobacco</i> , <u>Tobacco Abstracts</u> , Vol. 24, pg. 260 (1980)	
	182.	Bush, et al., <i>Physiological Aspects of Genetic Variation in Nicotine Content in Tobacco (Nicotiana tabacum)</i> , <u>Tobacco Abstract</u> , Vol. 23, pg. 30 (1979).	
	183.	Chilton et al., "Tailoring the Agrobacterium Ti Plasmid as a Vector for Plant Genetic Engineering", <u>Stadler Symp.</u> , 13: 39-53 (1981).	
	184.	Colbere-Garapin et al., "A New Dominant Hybrid Selective Marker for Higher Eukaryotic Cells", <u>J. Mol. Biol.</u> , 150: 1-14 (1981).	
	185.	Conkling, et al., <i>Isolation of transcriptionally regulated root-specific genes from tobacco: Plant Physiology</i> , Vol. 93, No. 3, pp. 1203-1211 (1990)	
	186.	Cornelissen, et al., <i>Both RNA Level and Translation Efficiency are Reduced by Anti-Sense RNA in Transgenic Tobacco</i> , <u>Nucleic Acids Res.</u> , Vol. 17, No. 3., pp. 833-843 (1989).	
	187.	Crowley, et al., <u>Cell</u> , "Phenocopy of Discoidin I-Minus Mutants by Antisense Transformation" Vol. 43, pp. 633-641 (1985)	
	188.	Cuozzo, et al., <i>Viral Protection in Transgenic Tobacco Plants Expressing the Cucumber Mosaic Virus Coat Protein Or Its Antisense RNA</i> , <u>Biotechnology</u> , Vol. 6, pp. 549-557 (1988)	
	189.	Database entry of Ensembl Human Genome Server, AC006461.2.1.181215, BLASTN 2.0a13MP-WashU [10-Jun-1997], 1 pp.	
	190.	Database entry of Ensembl Human Genome Server, AC069205.6.1.132242, BLASTN 2.0a13MP-WashU [10-Jun-1997], 1 pp.	
	191.	Database entry of Ensembl Human Genome Server, AC097498.3.1.144511, BLASTN 2.0a13MP-WashU [10-Jun-1997], 1 pp.	
	192.	Database entry of Ensembl Human Genome Server, AC105416.3.1.123331, BLASTN 2.0a13MP-WashU [10-Jun-1997], 1 pp.	
	193.	Database entry of Ensembl Human Genome Server, AC108149.3.1.91810, BLASTN 2.0a13MP-WashU [10-Jun-1997], 1 pp.	
	194.	Davies and Jimenez, "A New Selective Agent for Eukaryotic Cloning Vectors", <u>Am. J. Trop. Med. Hyg.</u> , 29(5): 1089-1092 (1980).	
	195.	D'Acquisto et al. "Local Administration of Transcription Factor Decoy Oligonucleotides to Nuclear Factor- κ B Prevents Carrageenin-Induced Inflammation in Rat Hind Paw" <u>Gene Therapy</u> 7:1731-	

 EXAMINER _____
 *EXAMINER _____

DATE CONSIDERED _____

Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM PTO-1449 U.S. Department of Commerce Patent and Trademark Office		Attorney Docket Number 5051-471	Serial No. 07941,042
LIST OF DOCUMENTS CITED BY APPLICANT (Use several sheets if necessary)		Applicants: Conkling et al.	
		Filing Date August 28, 2001	Group 1638
		1737 (2000).	
196.	Delauney, et al., <i>A Stable Bifunctional Antisense Transcript Inhibiting Gene Expression in Transgenic Plants</i> , <i>Proc. Natl. Acad. Sci. USA</i> , Vol. 85, pp. 4300-4304 (1988)		
197.	Depicker et al., "Nopaline Synthase: Transcript Mapping and DNA Sequence", <i>Journal of Molecular and Applied Genetics</i> , 1(6): 561-573 (1982).		
198.	Ecker, et al., <i>Inhibition of Gene Expression in Plant Cells by Expression of Antisense RNA</i> , <i>Proc. Natl. Acad. Sci. USA</i> , Vol. 83, pp. 5372-5376 (1986)		
199.	Feth, et al., <i>Regulation in Tobacco Callus or Enzyme Activities of the Nicotine Pathway</i> , <i>Planta</i> , Vol. 168, pp. 402-407		
200.	Fraley et al., "Expression of Bacterial Genes in Plant Cells", <i>Proc. Natl. Acad. Sci. USA</i> , 80: 4803-4807 (1983).		
201.	Fraley et al., "Use of a Chimeric Gene to Confer Antibiotic Resistance to Plant Cells", <i>Advances in Gene Technology: Molecular Genetics of Plants and Animals</i> , 20: 211-221 (1983).		
202.	Framond et al., "Mini-Ti: A New Vector Strategy for Plant Genetic Engineering", <i>BIO/TECHNOLOGY</i> , 5: 262-269 (1983).		
203.	Genbank entry AB005879. <i>Nicotiana tabacum</i> mRNA for BYJ6, 05-Feb-1999, 2pp.		
204.	Genbank entry AC002131. <i>Arabidopsis thaliana</i> chromosome 1 BAC F12F1 sequence, 28-May-1998, 38 pp.		
205.	Genbank entry AC006461. <i>Homo sapiens</i> BAC clone RP11-343N14 from 2, 01-Mar-2002, 65 pp.		
206.	Genbank entry AC021028. <i>Homo sapiens</i> clone RP11-137H2 from 10, 44 pp.		
207.	Genbank entry AC024028. <i>Homo sapiens</i> BAC clone RP11-151M24 from 7, 07-Nov-2001, 68 pp.		
208.	Genbank entry AC069205. <i>Homo sapiens</i> BAC clone RP11-735P12 from 2, 09-Jan-2002, 46 pp.		
209.	Genbank entry AC079141. <i>Homo sapiens</i> BAC clone RP11-502A23 from 4, 07-Nov-2001, 43 pp.		
210.	Genbank entry AC115109. <i>Homo sapiens</i> BAC clone RP11-78I10 from 2, 29-May-2002, 23 pp.		
211.	Genbank entry AR164048. Sequence 7 from patent US 6271031, 17-Oct-2001, 1 pp.		
212.	Genbank entry AR164050. Sequence 11 from patent US 6271031, 17-Oct-2001, 1pp.		
213.	Genbank entry AX344860. Sequence 285 from patent US WO0200927, 1-Feb-2002, 4pp.		
214.	Genbank entry U27809. Peanut bud necrosis virus S segment non-structural protein and nucleocapsid protein genes, 23-Jul-1996, 3 pp.		
215.	Halk et al., "Cloning of Alfalfa Mosaic Virus Coat Protein Gene and Anti-Sense RNA into Binary Vector and Their Expression in Transformed Tobacco Tissue", <i>Molecular Strategies for Crop Protection</i> , p.41.		
216.	Hamill, et al.; <i>Over-expressing a yeast ornithine decarboxylase gene in transgenic roots of Nicotiana rustica can lead to enhanced nicotine accumulation</i> , <i>Plant Molecular Biology</i> , Vol. 15, pp. 27-38 (1990)		
217.	Hemenway, et al., <i>Analysis of the Mechanism of Protection in Transgenic Plants Expressing the Potato Virus X Coat Protein or Its Antisense RNA</i> , <i>EMBO L</i> , Vol. 7, pp. 1273-1280		
218.	Hermaisteens et al., "The Agrobacterium Tumefaciens Ti Plasmid as a Host Vector System for Introducing Foreign DNA in Plant Cells", <i>Nature</i> , 287: 654-656 (1980).		



RECEIVED
NOV 23 2003
TECH CENTER 1600/2900

EXAMINER _____
*EXAMINER _____

DATE CONSIDERED _____

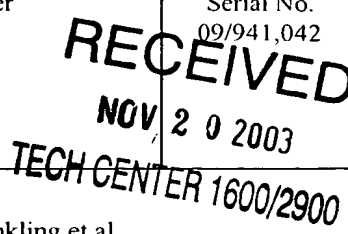
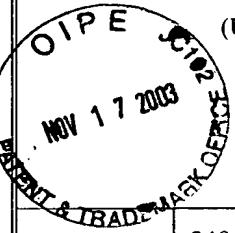
Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM PTO-1449 U.S. Department of Commerce Patent and Trademark Office		Attorney Docket Number 5051-471	Serial No. 09/941,042
LIST OF DOCUMENTS CITED BY APPLICANT (Use several sheets if necessary)		RECEIVED NOV 23 2003 TECH CENTER 1600/2900 Conkling et al.	
		Applicants: Conkling et al.	Group 1638
		Filing Date August 28, 2001	
219.	Herrera-Estrella et al., "Chimeric Genes as Dominant Selectable Markers in Plant Cells", <i>The Embo Journal</i> , 2(6): 987-995 (1993).		
220.	Herrera-Estrella et al., "Expression of Chimaeric Genes Transferred into Plant Cells Using a Ti-Plasmid-Derived Vector", <i>Nature</i> , 303: 209-213 (1983).		
221.	Hibi, et al., <i>Gene Expression in Tobacco Low-Nicotine Mutants</i> , <i>Plant Cell</i> , Vol. 6, pp. 723-735 (1994)		
222.	Holmberg, et al.; <i>Transgenic tobacco expressing Vitreoscilla hemoglobin exhibits enhanced growth and altered metabolite production</i> , <i>Nature Biotechnology</i> , Vol. 15, pp. 244-247 (1997)		
223.	Hooykaas et al., "The Ti-Plasmid of <i>Agrobacterium Tumefaciens</i> : A Natural Genetic Engineer", <i>TIBS</i> , 307-309 (1985).		
224.	Horsch et al., "A Simple and General Method for Transferring Genes into Plants", <i>Biological Sciences</i> , 227: 1229-1231 (1985).		
225.	Hughes, Kelly T., et al., <i>The Salmonella typhimurium nadC Gene: Sequence Determination by Use of Mud-P22 and Purification of Quinolinate Phosphoribosyltransferase</i> , <i>Journal of Bacteriology</i> , Vol. 175, No. 2, pp. 479-486 (Jan. 1993)		
226.	Imanishi et al., "Differential Induction by Methyl Jasmonate of Genes Encoding Ornithine Decarboxylase and Other Enzymes Involved in Nicotine Biosynthesis in Tobacco Cell Cultures", <i>Plant Molecular Biology</i> , 38: 1101-1111 (1998).		
227.	Izant, et al., <i>Constitutive and conditional Suppression of Exogenous and Endogenous Genes by Anti-Sense RNA</i> , <i>Science</i> , Vol. 229, pp. 345-352 (1985)		
228.	Izant, et al., <i>Inhibition of Thymidine Kinase Gene Expression by Anti-Sense RNA: A Molecular Approach to Genetic Analysis</i> , <i>Cell</i> , Vol. 36, pp. 1007-1015 (April 1984)		
229.	Kim, et al., <i>Stable Reduction of Thymidine Kinase Activity in Cells Expressing High Levels of Anti-Sense RNA</i> , <i>Cell</i> , Vol. 42, pp. 129-138 (August 1985)		
230.	Kitamoto et al. "Increased Activity of Nuclear Factor- κ B Participates in Cardiovascular Remodeling Induced by Chronic Inhibition of Nitric Oxide Synthesis in Rats" <i>Circulation</i> 102:806-812 (2000).		
231.	Kubota, et al. "Cloning of a Nuclear-Encoded Photosystem I Gene, <i>psaEb</i> , in <i>Nicotiana sylvestris</i> " <i>Plant Physiol</i> 108:1297-1298 (1995)		
232.	Lam, et al., <i>Site-Specific Mutations Alter In Vitro Factor Binding and Change Promoter Expression Pattern in Transgenic Plants</i> , <i>Proc. Nat. Acad. Sci. USA</i> , Vol. 86, pp. 7890-7894 (1989)		
233.	Lee et al. "CRE-Transcription Factor Decoy Oligonucleotide Inhibition of MCF-7 Breast Cancer Cells: Cross-Talk with p53 Signaling Pathway" <i>Biochemistry</i> 39:4863-4868 (2000).		
234.	Lichtenstein, <i>Anti-sense RNA As A Tool To Study Plant Gene Expression</i> , <i>Nature</i> , Vol. 333, pp. 801-802 (1988)		
235.	Lorz et al., "Transformation Studies Using Synthetic DNA Vectors Coding For Antibiotic Resistance", <i>Plant Tissue Culture</i> , 511-512 (1982).		
236.	Mann et al. "Pressure-Mediated Oligonucleotide Transfection of Rat and Human Cardiovascular Tissues" <i>Proc. Natl. Acad. Sci. USA: Medical Sciences</i> 96:6411-6416 (May 1999).		
237.	Mann et al. "Ex-vivo Gene Therapy of Human Vascular Bypass Grafts with E2F Decoy: The PREVENT Single-Centre, Randomised, Controlled Trial" <i>The Lancet</i> 354:1493-1498 (October 30, 1999).		
238.	McGarry, et al., "Inhibition of Heat Shock Protein Synthesis by Heat-Inducible Antisense RNA" <i>Proc. Natl. Acad. Sci. USA</i> 83:399-403 (1986)		
239.	Melton, <i>Injected Anti-Sense RNAs Specifically Block Messenger RNA Translation In Vivo</i> , <i>Proc. Natl. Acad. Sci. USA</i> , Vol. 82, pp. 144-148 (1985)		

 EXAMINER _____
 *EXAMINER _____

DATE CONSIDERED _____

Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

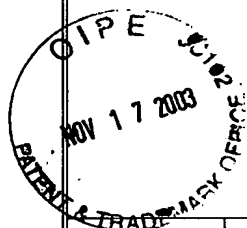
FORM PTO-1449 U.S. Department of Commerce Patent and Trademark Office		Attorney Docket Number 5051-471	Serial No. 09/941,042
LIST OF DOCUMENTS CITED BY APPLICANT (Use several sheets if necessary)			
			
		Applicants: Conkling et al.	Group 1638
		Filing Date August 28, 2001	
240.	Mischiati et al. "Interaction of the Human NF- κ B p52 Transcription Factor with DNA-PNA Hybrids Mimicking the NF- κ B Binding Sites of the Human Immunodeficiency Virus Type 1 Promoter" <i>The Journal of Biological Chemistry</i> 274(46):33114-33122 (1999).		
241.	Mizuno, et al., <i>A Unique Mechanism Regulating Gene Expression: Translational Inhibition By a Complementary RNA Transcript (micRNA)</i> , <i>Trends in Genetics</i> , Vol. 1, pp. 22-25 (1985).		
242.	Morishita, et al. "Role of AP-1 Complex in Angiotensin II-Mediated Transforming Growth Factor- β Expression and Growth of Smooth Muscle Cells: Using Decoy Approach Against AP-1 Binding Site" <i>Biochemical and Biophysical Research Communications</i> 243:361-367 (1998).		
243.	Morishita, et al. "Application of Transcription Factor "Decoy" Strategy as Means of Gene Therapy and Study of Gene Expression in Cardiovascular Disease" <i>Circ. Res.</i> 82:1023-1028 (1998).		
244.	Nastruzzi et al. "Liposomes as Carriers for DNA-PNA Hybrids" <i>Journal of Controlled Release</i> 68:237-249 (2000).		
245.	NCBI Sequence Viewer Accession No. X70902 N.tobacum T85 Locus: NTT85A		
246.	NCBI Sequence Viewer Accession No. D42070 Tobacco psaEb Locus: TOBPSAEB		
247.	Ohta, et al., <i>Metabolic Key Step Discriminating Nicotine Producing Tobacco Callus Strain From Ineffective One</i> , <i>Biochem. Physiol. Pflanzen</i> , Vol. 175, pp. 382-385 (1980)		
248.	Park et al. "Dual Blockade of Cyclic AMP Response Element-(CRE) and AP-a-Directed Transcription by CRE-Transcription Factor Decoy Oligonucleotide" <i>The Journal of Biological Chemistry</i> 274(3):1573-1580 (January 15, 1999).		
249.	Pestka, et al., <i>Anti-mRNA: Specific Inhibition of Translation of Single mRNA Molecules</i> , <i>Proc. Natl. Acad. Sci. USA</i> , Vol. 81, pp. 7525-7528 (1984)		
250.	Piva et al. "Modulation of Estrogen Receptor Gene Transcription in Breast Cancer Cells by Liposome Delivered Decoy Molecules" <i>Journal of Steroid Biochemistry and Molecular Biology</i> 75:121-128 (2000).		
251.	Poulsen, et al., <i>Dissection of 5' Upstream Sequences for Selective Expression of the Nicotiana Plumbaginifolia rbcS-8B gene</i> , <i>Mol. Gen. Genet.</i> , Vol. 214, pp. 16-23 (1988)		
252.	Preiss, et al., <i>Molecular genetics of Krüppel, A Gene Required for Segmentation of the Drosophila Embryo</i> , <i>Nature</i> , Vol. 313(5997):27-32 (1985)		
253.	Results of search of Genbank Database, BLASTN 2.2.3 [Apr-24-2002], RID:1026175671-06698-1397, 15pp.		
254.	Results of search of Genbank Database, BLASTN 2.2.3 [Apr-24-2002], RID:1026319792-012476-25945, 30pp.		
255.	Rezaian, et al., <i>Anti-Sense RNAs of Cucumber Mosaic Virus in Transgenic Plants Assessed For Control of the Virus</i> , <i>Plant Molecular Biology</i> , Vol. 11, pp. 463-471 (1988)		
256.	Rodermei, et al., <i>Nuclear-Organelle Interactions: Nuclear Antisense Gene Inhibits Ribulose Biphosphate Carboxylase Enzyme Levels In Transformed Tobacco Plants</i> , <i>Cell</i> , Vol. 55, pp. 673-681 (1988)		
257.	Rosenberg, et al., <i>Production of Phenocopies by Krüppel Antisense RNA Injection Into Drosophila Embryos</i> , <i>Nature</i> , Vol. 313, pp. 703-706 (1985)		
258.	Rothstein, et al., <i>Stable and Heritable Inhibition of the Expression of Nopaline Synthase in Tobacco Expressing Antisense RNA</i> , <i>Proc. Natl. Sci. USA</i> , Vol. 84, pp. 8439-8443 (1987)		

EXAMINER
*EXAMINER

DATE CONSIDERED

Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM PTO-1449 U.S. Department of Commerce Patent and Trademark Office LIST OF DOCUMENTS CITED BY APPLICANT (Use several sheets if necessary)		Attorney Docket Number 5051-471	Serial No. 09/941,042
		Applicants: Conkling et al.	
		Filing Date August 28, 2001	Group 1638
259.	Sandler, et al., <i>Inhibition of Gene Expression in Transformed Plants by Antisense RNA</i> , <u>Plant Molecular Biology</u> , Vol. 11, pp. 301-310 (1988)		
260.	Saunders, et al., <i>Comparison of Nicotine Biosynthetic Enzymes in Nicotine Level Genotypes of Burley Tobacco</i> , <u>Agronomy Abstracts</u> , pg. 84 (1978)		
261.	Saunders, et al., <i>Enzyme Activities in Nicotine Biosynthesis in Nicotiana Tabacum</i> , <u>Journal of National Products</u> , Vol. 41, pg. 646		
262.	The Sanger Centre, "Toward a Complete Human Genome Sequence", Cold Spring Harbor Laboratory Press, 1097-1108, (1988).		
263.	Satyanarayana et al., "Peanut Bud Necrosis Tospovirus S RNA : Complete Nucleotide Sequence, Genome Organization and Homology to Other Tospoviruses", <u>Arch. Virol.</u> 141 (1), 85-98 (1996)		
264.	Sheehy, et al., <i>Reduction of Polygalacturonase Activity in Tomato Fruit by Antisense RNA</i> ; <u>Proc. Natl. Acad. Sci. USA</u> , Vol. 85, pp. 8805-8809 (1988)		
265.	Smith et al., "Antisense RNA Inhibition of Polygalacturonase Gene Expression in Transgenic Tomatoes", <u>Nature</u> , 334: 724-726 (1988).		
266.	Song, Wen, <i>Molecular characterizations of two tobacco root-specific genes: TobRB7 and NiOPT1</i> (1997); LMI, Order No. DA9804246 from: Diss. Abstr. Int., B. Vol. 58, No. 8, pg. 4061; 224 pp. available; XP002080228		
267.	Takata, et al. "Novel Cis Element for Tissue-Specific Transcription of Rat Platelet-Derived Growth Factor β -Receptor Gene" <u>Hypertension</u> 33(II):298-302 (1999).		
268.	Theologis et al., "Sequence and Analysis of Chromosome 1 of the Plant Arabidopsis Thaliana", <u>Nature</u> , 408: 816-820 (2000).		
269.	Tomita, et al. "Transcription Factor Decoy for NF B Inhibits Cytokine and Adhesion Molecule Expressions in Synovial Cells Derived from Rheumatoid Arthritis" <u>Rheumatology</u> 39:749-757 (2000).		
270.	Travers, <i>Regulation by Anti-Sense RNA</i> , <u>Nature</u> , Vol. 310, pg. 410 (1984)		
271.	Van der Krol, et al., <i>An Anti-Sense Chalcone Synthase Gene in Transgenic Plants Inhibits Flower Pigmentation</i> , <u>Nature</u> , Vol. 333, pp. 866-869 (1988)		
272.	Van der Krol, et al., <i>Antisense Genes in Plants; An Overview</i> , <u>Gene</u> , Vol. 72, pp. 45-50 (1988)		
273.	Van der Krol, et al., <i>Modulation of Eukaryotic Gene Expression by Complementary RNA or DNA Sequences</i> , <u>Biotechniques</u> , Vol. 6, pp. 958-976 (1988)		
274.	Wang et al., "Right 25 bp Terminus Sequence of the Nopaline T- DNA is Essential for and Determines Direction of DNA Transfer from Agrobacterium to the Plant Genome", <u>Cell</u> , 38: 455-462 (1984).		
275.	Wang, et al. "Targeted Disruption of Stat6 DNA Binding Activity by an Oligonucleotide Decoy Blocks IL-4-Driven T_H2 Cell Response" <u>Blood</u> 95(4): 1249-1257 (February 15, 2000).		
276.	Wagner, et al., <i>Regulation in Tobacco Callus of Enzyme Activities of the Nicotine Pathway</i> , <u>Planta</u> , Vol. 168, pp. 408-412. (1986)		
277.	Wagner, et al., <i>The Regulation of Enzyme Activities of the Nicotine Pathway in Tobacco</i> , <u>Physiol. Plantarum</u> , Vol. 68, pp. 667-672 (1986)		
278.	Wagner et al. "Determination of Quinolinic Acid Phosphoriboxyl-Transferase in Tobacco" <u>Phytochemistry</u> 23(9):1881-1883 (1984).		
279.	Watanabe et al. "Cloning and Expression of Two Genes Encoding Auxin-Binding Proteins From		

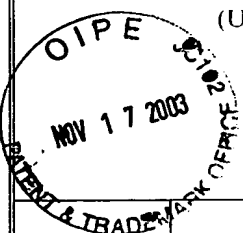


RECEIVED
 NOV 20 2003
 TECH CENTER 1600/2900

EXAMINER _____
 *EXAMINER _____

DATE CONSIDERED _____

Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM PTO-1449 U.S. Department of Commerce Patent and Trademark Office LIST OF DOCUMENTS CITED BY APPLICANT (Use several sheets if necessary)		Attorney Docket Number 5051-471	Serial No. 09/941,042
		Applicants: Conkling et al.	RECEIVED NOV 20 2003 TECH CENTER 1600/2900
		Filing Date August 28, 2001	
		Tobacco" <i>Plant Molecular Biology</i> 36:63-74 (1998).	
	280.	Weintraub, et al., <i>Anti-sense RNA as a Molecular Tool for Genetic Analysis</i> , <i>Trends in Genetics</i> , Vol. 1, pp. 22-25 (1985)	
	281.	West, et al., <i>Duplex-Duplex Interactions Catalyzed by RecA Protein Allow Strand Exchanges to Pass Double-Strand Breaks in DNA</i> , <i>Cell</i> , pp. 683-691 (1984)	
	282.	Wu et al. "Inhibition of In Vitro Transcription by Specific Double-Stranded Oligodeoxyribonucleotides" <i>Gene</i> 89:203-209 (1990).	
	283.	Yia-Herttuala et al. "Cardiovascular Gene Therapy" <i>The Lancet</i> 355:213-222 (January 15, 2000).	

EXAMINER _____
 *EXAMINER

DATE CONSIDERED

Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.